

Remarks

Claims 22, 23 have been amended to depend from claim 21. That these claims depended from claim 20 was clearly an obvious typographical error. In normal practice before the PTO, these claims would have been considered as depending from claim 21, particularly in view of the remarks on page 10, line 1. In the instant office action, they were not considered. This action is questioned?

Claims 21 and 27-32 are rejected under 35 USC 103(a) as unpatentable over Boulter.

The remarks in the response of 7/15/04 argue that the claims distinguish over Boulter for the specific reasons including: (1) that nowhere does the reference refer to a shelf arrangement adapted to receive and support an ice chest; nowhere is this argument refuted; (2) that the reference discloses an ice maker 2019 and ice bin 2028 under roof cap 2002 of kiosk 2001 with the ice delivered through chute 2004 into a container; (3) that the claim calls for a compartment housing an ice dispenser and including an ice dispenser chute and further including a compartment wall having an opening through which the dispenser chute passes. It is further argued that the claim also calls for a display front having a recess with an opening through which passes a dispenser chute, and for the ice to pass from the dispenser chute through the dispensing panel and through the delivery chute. Nowhere is such structure referred to in the rejection nor is reference made to these limitations in the argument.

Claims 22 and 23 depend from claim 21.

Claim 32, previously presented, is argued to call for a compartment with a side and a dispensing panel with an ice making machine and a dispenser. It is further

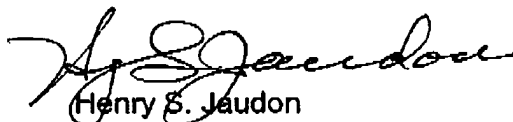
argued that the claim calls for ice to be delivered through a dispenser chute from a delivery chute. The rejection makes no reference to these distinctions. It is also argued that the reference does not teach a compartment housing an ice dispenser having a side to which a dispenser panel is attached with a dispenser chute passing through the compartment side as called for in the claim. No reference to these limitations is made in the rejection or the remarks.

Claims 27, 28, 29 and 30 are indicated as depending from claim 32.

Claim 31 is directed to a method of producing and dispensing ice. Nowhere in the rejection is mention made of a method, of any sort, taught by Boulter. This being so, no reference is made to the argument pointing to those claimed phrases deemed not anticipated as set forth in the claim.

Withdrawal of the Final Rejection is respectfully requested for the stated reasons.

Respectfully submitted,



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